

New Hampshire Racing & Charitable Gaming Commission
Commission Meeting
Concord Office
July 20, 2009
09-11

Present: Timothy J. Connors, Chairman
Warren W. Leary, Secretary
Michael J. Gatsas, Member
Anthony B. Urban, Member
Bernard A. Streeter, Member
Paul M. Kelley, Director
Sudhir K. Naik, Deputy Director
Steve Johnston, Supervisor Gaming Operations
Billie Jean Arseneault, Gaming/Licensing Supervisor
William Dewhurst, Sr. Auditor
Shawn Graham, Auditor
Linda Darrow, Administrative Secretary

In Attendance: Rick Newman, Dan Callaghan, James Rafferty, Mike McLaughlin, Jamie Timbas, Gary Desrosiers, Attorney Patrick Donovan and others.

Commissioner Presby was not in attendance due to a death in the family.

The Chairman called the meeting to order at 10:15 a.m. and apologized for the delay. Meeting with counsel took longer than expected.

On a motion by Commissioner Urban, seconded by Commissioner Streeter and unanimously voted to approve and place on file the Commission minutes dated June 29, 2009.

On a motion by Commissioner Urban, seconded by Commissioner Leary and unanimously voted to accept and place on file the racing & charitable gaming statistics for the fiscal period ending July 7, 2009.

The Games of Chance warning letters spreadsheet were reviewed. Deputy Director Naik stated all items were now up to date.

The Games of Chance State Revenue spreadsheets were reviewed. On a motion by Commissioner Urban, seconded by Commissioner Streeter and unanimously voted to accept and place the spreadsheets on file.

Copies of the positive test result letters from the University of Florida were included in the agenda packet as an FYI item and placed on file.

A copy of the Harness Notice of Suspensions and Fines spreadsheet was also included in the agenda packet as an FYI item. Discussion ensued. Regarding outstanding fines, Director Kelley will research when fines are due to be paid by the horsemen and what steps are in place when the fines are not paid in a timely manner.

Correspondence was reviewed. The letter received from the Department of Revenue in response to questions posed to them by the Commission regarding the 10% tax on gambling winnings clarified the role of the Commission. The Commission has no role in collecting the 10% tax. Commissioner Gatsas requested

a letter be sent by staff to all Game Operators, Charities, Bingo Halls and Games of Chance operators stating it is imperative for them to contact the Department of Revenue to find out what their responsibility is regarding the 10% tax on gambling winnings.

Under Old Business:

- ❖ Director Kelley reported that the modernization of the process to capture the tax and breakage information from the tracks is moving forward. If all goes as planned, the four calculators currently working at the tracks will be notified within the next 60 days of their layoffs.

Under New Business:

- ❖ Deputy Director Naik handed out the account wagering account balances summary. All balances are in order. Commissioner Gatsas asked that in the future, this summary include a rolling amount in order to view the history of each account.
- ❖ Director Kelley handed out a copy of Executive Order 2009-2 establishing a gaming study commission. On a motion by Commissioner Urban, seconded by Commissioner Streeter and unanimously voted to accept and place it on file.
- ❖ Attorney Dan Callaghan addressed the Commission on questions regarding the license applications for 2010. The tracks now have the option of simulcast racing only. The current license application refers to seeking a license to conduct live racing. Discussion ensued. On a motion by Commissioner Gatsas, seconded by Commissioner Urban and unanimously voted to have staff look into the possibility of changing the name of the license application to a pari-mutuel license and provide options for checking off simulcast racing only in the application. It was decided Attorney Callaghan and Director Kelley would work out the details.
- ❖ Director Kelley handed out copies of the fax sent to him by Attorney Patrick Donovan regarding the termination of the relationship between Granite State Poker and Rockingham Ventures. Attorney Donovan addressed the Commission with the concerns of his client, Granite State Poker. Chairman Connors stated that since this is a legal matter, Attorney Donovan would need to address his concerns with the AG's office.

At 10:40 a.m., on a motion by Commissioner Urban, seconded by Commissioner Leary and by a unanimous roll call vote the Commission voted to adjourn the regular meeting, and go into non-public session.

Connors	-	Yes
Leary	-	Yes
Gatsas	-	Yes
Urban	-	Yes
Streeter	-	Yes

At 12:20 p.m., on a motion by Commissioner Leary, seconded by Commissioner Streeter and by a unanimous roll call vote the Commission voted to come out of the non-public session and to permanently seal the non-public minutes.

Connors	-	Yes
Leary	-	Yes
Gatsas	-	Yes
Urban	-	Yes
Streeter	-	Yes

The next Commission meeting is scheduled for Tuesday, August 25th at 11:00 a.m. at Rockingham Park.

The Chairman closed the public meeting at 12:25 p.m.

Respectfully Submitted,

Warren W. Leary
Secretary